makes these services a charge upon the treasury. The same recommendation was made by Mr Fillmore in his most for 1840, here 72 but appears to have been us-

MUTUAL INSURANCE COMPANIES rapid organization of fire invariance companies, un-set of April 10th, 1849, and the suspection or bank-of many, in a short time after geing into opera ollowed by the embarras ment and serious loss to haste who have d-pended on them for indemo' ay tices by fire, suggests the inquiry, whether t' are t serious detecte in that law, and what ar a the fee.

sageness. The desirquent companies b are started that by on he mutual pranciple; and that w all only two joint stock occupanies were in existence in the State when that law took effect except in lacely of New York and the county or Kings. (the, atheny and the Bort breatern insurance companies), not a single new company has since been organized cant of those bounds as a joint stock comeany, while the, number of mutual companies (come chaiming to have, a small stock capital) urganized in almost every seel ou of the State, is very large; and these are often low steel where the local bust meas cannot give them as a sequale support, and might chapene with them altogy dur. The first section of the above law provides that no mutual insurance company shall commence business in many county in the State, as every New York and Kings, with agreements browe been entered into for insurance, the premiums on which shall amount to Silo 600 and mostes received therefor? By this was undoubtedly intended notes in moderate a mounts, founded on actual amplications for insurance. To procure such notes in an administration for insurance, the premium of the old mutual companies, would require considerable time, and such notes in small amounts given by free holders, and liable to assess ment, would constitute a considerable security. It is alteged that the spirit of the law has been evaded in the following manner.

would constitute a considerable security. It is alteged that the spirit of the law has been evaded in the following manner.

And number of persons, not less than thicteen—and for the purpose of litustration we will say twenty—ascent to form a mutual company. If each of these has a pree of preper y to insure to the amount of \$6.000, there is nothing in the law to prevent him from given his note for an amount equal to the sum in area or even greater, and thus a fund of notes is immediately revised to the extent required by the law; a proposed charter is fined and examined by the Attorney General containing nothing inconsistent with the requirements of the act or of the constitution or laws of the State, and is extlined by him to the Comparables, who appoints three disinterested persons as commissions, who certify, under oath, that the company has received, and is in actual possession of the "capital, (notes) premiums, or engagements of insurance as the case may be." and as there is no doubt that approximations have been made for insurance and notes received therefor, to the amount required the commissioner certify accordingly; a copy of the certificate is filed with the Secretary of State who furnishes a certified capy of the wherter and certificate, and the company examences business. In all these proceedings, the attorney General, Occapitaller and Secretary of State bave no discretion, but to execute the forms prescribed by the sot.

In cases where the direction is in scoper hands as fast as attual premium notes are obtained on politics issued, they are used to replace the notes procured for the purpose of eigenstation; and if the sfaurs of the company are purently and successfully monaged it may at last be founded on a telerably safe ba-is; but in most cases a different course is pursued. The moment hary are ready to see the promons exclusively, without accompanying notes, earlier the manner of joint steek companies. Agents are appointed to obtain risks, with policies formism does not require and the Company i

the state of New York. The law does not require and the Comptrelier has no authority to receive, and never has received any such deposite of securities from mutual companies. If the company is fortunate in the extant of its receipts of each presulture, and also in not sustainting heavy losses it exhibits the appearance, in annual reports, of a sound healthy condition; but when some wide-apread configuration, caused by accident or other came exhausts the cash and there being no premium notes to assess except those of arge amount, obtained for the purpose of capital, principally from the directors themselves the company suspends business, leaving their policies to expire in course of time and the helders to take their chance for payment of a loss.

It is believed that this is a just statement of some of the abuses that have already followed the passage of this sot.

the abuses that have already followed the passage of this set.

The following suggestions have been made by those best acquainted with the defects of the present system and they are submitted to the Legislature, as adds in framing a law to remedy existing abuses:

1. A mutual company should transact business on the mutual plan culy taking a note for not more than three-quarters of the premium, and one quarter paid in each lie rick about he taken on which the note would amount to more than \$500 for a less period than three years.

2. No when company should receive a certified copy of its charter and commence business until premium notes founded on actual applications for insurance have been sobtained, to the amount of \$75.000, and approved as good securities by the county judge of the county where the company is located and until the sum of \$25.000 in each, has been actually paid in to some officer of the company, and proved to the satisfaction of the Comptroller.

3. Every fire and marine incurance company, whether

ler.
3 Every fire and marine insurance company, whether
should make to the Comptroller is not stock or mutual. should make to the Comptroller an annual report on the first day of January in each year, confaining a statement of their badsess for the preceding year, and exhibiting the following items:—

1 The amount of capital state, cash on hand and deposited in banks of the assets of property of the company, specifying real estate; cash on hand and deposited in banks; amount of loans secured by bonds and mortages; amount of premium notes; amount of stocks of this State, or of the inited State, or day incorporated city of this State, owned by the company; amount of all other securities.

3. The liabilities of the company specifying amount of losses due and unpaid; amount of losses incurred and not yet due; amount of clams for losses resisted by the company; amount of all other claims against the company;

4. The income of the preciding year, specifying, amount of premiums received, amount of interest received smount of income from other sources.

5 The expenditures during the preceding year, amount of loses paid, amount of dividents declared, smount of expenses paid, amount of all other payments and spareditures.

Mutual companies should be taxed on the fund

4 fitual companies should be taxed on the fund held by them as a capital.

5. Insurance companies of other States whether life, fire or marine should be permitted to transact business in this State on furnishing evidence to the satisfaction of the Comptroller that they are possessed of an amount of capital invested in stocks of the United States or of any State or incorporated city or in bonds and moriguese on real estate, or in railroad stocks or bonds, or hank stock to an amount not less than \$150 000 at the lowest market value of the same. A small tax as at present might be imposed on the amount of premiums received units State.

at the lowest market value of the same. A small tax as at present might be imposed on the amount of premiums reserved in this State.

Statement Q exhibits, the condition and resources of the stack incurance companies in this State, prepared from the returns on file in this other for the year 1852.

Statement Q exhibits the sames of the mu uni campanies organized under the Act of 1859, times has Compared by the condition of the following the same of the mu uni campanies organized under the Act of 1859, times has Compared by the horse complied with the Act of 1857.

An appropriation of \$10.000 was made by chapter 366 of Laws of 1857, for the immediate removal of obstructions in the navigation of the fluidsen free and the serious interruption therefrom to the opening metalesm. The formation of a new bar at this place and the serious interruption therefrom to the opening metaletion, joined the passage of the law. The third section requires the Comptrolier to head, that the sum may be charged to and be repaid by the general government.

The money was appropriated upon the assumption that the work of clearing out the channel was a national one, and that as ston as Cozgress could act in the matter, an appropriation would be made for this purpose, and the money repaid to the State. Subsequently an appropriation of \$10,000 was made by Congress, and the Comptrolier addressed a letter to the Secretary of War upon the subject of the repayment to walch an answer (a coay of which is annexed, marked R.) was returned. It will be seen from the communication of the Secretary that he does not feel authorized to repay it from the appropriation made, and consequently the State will lose the money, unless a special act of Congress to passed to reim; burse the flate for its advances towards a purely national object. The sum expended under the law is \$0,355.00, node the state of the repaying the later to the condition of a construction of the condition of the clear of the purpose and opening.

Under "an act to provide for laying out and opening a read from Clinton county to Carthage in Jefferson county. P passed April 16 1362 there has been paid from the treasury, the sum of \$16.812.50. The report from the examinationers appointed under the law is herewith submitted maked S.

It will be the county of the country of

nomitted marked S.

It will essen from this paper that after the commis-ioners had placed about twenty-three miles of the road. signers had placed about twenty-three infles of the road number contract, at a cost of ten thousand deliars, and an excenditure in money of \$1 0.32 20, an injunction was caved upon them by which they were enjoined from all further necessaring in the work.

The litigation is not yet at an end, and the almost inac-

The hipparon is not yet as as was and the miss inner successible country through which it was proposed to open this rend is threshy deprived of the beauty of the libral bounty of the libral. It is to be righted that some animal ment of this controversy cannot be made which shall tamore all obsteeles to the compaction of a improvement of great innertains to the country through which the

July 1 1851, for the improvement of the Sarame river and lakes, is submitted, marked !
It exhibits grafifying results of the aid formshed by the State, in rendering the navigation of the deramany river. For the passage of timber loss, much less difficult and harardous than heretotors, and contains appropriations of force and value in favor of forther appropriations.

The attention of the Legislanu eliaise called to the report from the commission for the improvement of lia queriver, marked C. is an interesting history of the country through which the stream passes, and exhibite, with great force and clearmer the end tantial homotic which have resulted from the liberal aid of the State. It appears that the commissions have accounted the commission of a 3200 to beyond the sparroulardo, and it against entirely just that provision should be made for the payment of the amount.

Francounter.

Star-ment K shows the amount of stationary pur-

A races above stated of the station

of the stationery usually and annually purchased by contract in October of each year, but a small quantity of write ag paper; and hence the expanditure for the present for any are includes the while of the present and a port! on it what should have been provided paid for, and on and, on the first of January last.

and on the first of January last.

ACCION DUTIES.

The amount received from this source of revenus is \$115.595 all as will be seen by the statement marked U, showing the sums paid during the year and by whom.

There curies constitute an important item of the revenue of the General Fund and the frauds which were practice in the city of New York by persons accretising the business of patty austioneers lod to the passage of the law of 1849 thep. 369 of that year. It authorizes the Comptreller to appoint an agent whose duty it shall be to examine the books and account of sales kept by auctioneers to accertain whether honest accounts were kept, and returns made to the Comptroller of the sales made by them

shall be to examine the books and account so cales kept by aucticarers to accertain whether housest accounts here kept, and returns made to the Comptroller of the sales made by them

It is believed that much good has resulted from these examinations and that the State has been saved large amounts of revenue by the vigilance of the agent employed.

William P Maiburn Eq. of the city of Albany, was appointed by the Comptroller, in January last, and has performed the duty enjoined by the law, to his enture satisfaction.

STATE PRISONS

Tables V W X exhibit the operations and the present condition of the prisons for the year ending Sept. 30, 1852.

They show improvement in their financial affairs, which with the aid of the State it is boped may be continued for the fusing. There is a balance in the treasury in tayer of the Aukarn prison, at the close of the year, of \$14.27.20; in twen of the Olimton prison of \$14.80; and in layor the Sing Sing prison of \$1.985.01.

The State Pryon Improves called the attention of the Comptroller. In September last to the accounts of the late agent of the Clinton prison, as they serviculated the accent of the Comptroller. In September last to the accounts of the late agent of the Clinton prison, as they serviculated the state of the prison has been refured; all the office and that there are demands cutstanding and in the holmes of Armorous persons for articles cold to Camstock, amount for jut about \$1.500, and that these persons hold his he for, signed as agent, for there claims or a large port and of them. The present agent of the prison has been reparted; called upon to pay this outstanding and in the holm of the manual for jut about \$1.500, and that these persons has been reparted; called upon to pay this outstanding independent of the search of t

for as the same is practicable of the funds and accounts of which he has charge to the termination of the curtical collection of this new requirement must have been to give the Legislature the benefit of any change in the condition of the treasury up to the latest period before their assembling. But it is whelly impracticable so far as this office is concerned, and the omission of every comparities the condense of the lay to comply with it furnishes the evidence that it is so. The books at the office are written up to the close of the fiscal year, and then a new account is opened with each tiem of expenditure and appropriation; and unless the clerks close up the accounts of payments and receipts each day which help cannot do con listent with their ordinary faily duties, and concannity occurring interruptions an accurate statument of each account cannot be given until the end of the decai year. But the Comptrolier avails himself of the occasion to asy, that from a very caseful estimate of the receipts and payments fine the both September into and from the general fund the payments have exceeded the receipts and will continue to corso until the walls of the taxes of this year come into the treasury. They are due and payable to the contract of the head but though the interruption of

such must unavoidably and necessarily be the condition of the treatmy during the most four months, and so far as the general fund is concerned, it must continue to overdraw during the entire year. Its present revenues to other funds, and discharge the ordinary claims upon it for the year.

The Comptroller can only say that he does not possess the power to replecish an exhausted treasury, the can only disburse the funds of the State pisced at his disposal by the constitution according to law.

All which is respectfully submitted

J. C. WRESHET, Comptroller.

The Weatner.

The Wentner.

First Snow in the City.

The threatening aspect of Monday hight noticed in our paper of yesterday morning, resulted in a very high wind from the portheast which commenced to blow shortly after in displit. This gale continued, with considerable violence, until daybreak yes erosy morning. There was a sharp frost at the same time, and the early morning was intensely cold. At even o'clock A M the her momenter stood at 281, In a short time after this hour the wind versed to nearly due north and was fittul and gusty up to noon. At ten minutes to twelve small hard, and distinct particles of now begin to fall and ended in a preity sharp shower, which, falling upon the trosty ground, randered the streets sightly white, the first time they have been so this winter. The snow continued to descend at intervals, but very slightly, during the afternion and evening. The thermometer at the Heasternion and evening. The thermometer at the Heasternion and evening to As the evening closed in, the sky was very heavy, as if a severe storm was approaching; and at a late hour of the night a high wint was springing up, giving tone of the first really wintry whistle which we have heard in New York this senson.

THE WEATHER THROUGHOUT THE STATE

BUTTALO, 10 A M —Cold. Looks like snow. Will orthogen Thermometer 32. Barometer 29.70 portheast Thermometer 32. Barometer 29.70 9 P M —Cold but pleasant evening Wind north. Thermometer 24 Barometer 29.28.

RECEINSTER, 10 A. M. - Cloudy and cold. Wind south as: The memeter 26 hermemeter 26 M.-Clear and cold. Wind west. Thermome Auman, 10 A. M -Cloudy and cold meming. Wind

percheast. Thermometer at 9 P. M.—Clear and celd. Wind west. Thermome-

STRECT SE. 10 A M.—Cold and somewhat cloudy. Wind west Thermometer 29 9 P. M.—Clear and cold. Very strong west wind. Thermometer 28 Urica. 10 A M -- Cloudy morning, and cold. Wind

Thermometer 26 M - Clear evening. Wind northwest Ther-

ALBANY 10 A. M .- Cloudy Wind northeast. Thernormeter 30.

9 P. M. —Cloudy. Wind north. Barometer 30. Mercury 80 Thermometer 26. Loss of the Ship Amulet and Fifteen Lives.

Boston, Jan. 4, 1853.

The ship Annawan, at this port from New Orleans, reports, Dec 31 lat. 40 25, lon. 71, picked up a boat, containing Paul Howes, master; Thomas S. Howes, first mate; Robert B. Foulke, second mate, and John Williams, thir

Robert B. Foulke, second mate, and John Williams, third mate of the ship Annulet, from Cette for Boston. The Amulet, Dec. Tith during a gale, spring a leak and went down at six in the morning carrying with her fifteen souls—all on board, except the three in the boat. The survivors suffered a good deal before being picked up, being thirty six hours without food. The Amulet was insured in this city. She had a cargo of 900-tons of sait. The names of those who perished are as follows:—Stephen Müller. John Powers James Melane. Win North, Jese Marie. The mas Cubina. Robert Persina, John Mushalli Thomas Sanning, Win West John West semmen, John Contable, seward: John Kinney, cook, and two others, names unknown, who had secreted themselves on board at Cette.

Domestic Calescellany,
Two buildings Mr. Own's and Mr Patter-on's,
Sulliyan's Island, Charleston bathor, were burned do-

on the 20th nit.

At the recent form of the Circuit Court for Marsago sourty. Ala., a slave named Ned was found gull y of acting has to a oction house, and sourcemed to be hang. Several of the brokers of Chechusti cantemplate leving mostly notes of the demonstration of five, twonty five an

Executed of the brokers of Cinetimetti centemplate is using small roots of the demonstration of dive, twenty five and fitty centre, payable on demand in gold.

In Reckland, Mc., the house of Mr. D. C. Dissmore, with its contents wise destroyed by fire on the 28th att. Loss \$1.50; no insurance.

The three story trick building in Water street, wext to bettered and the 18th att. The building was destroyed by fire on the 18th unit. The building belonged to the Cottons (that, and was occupied by James Ridges) and Masser. Thempson a Gauley. Loss about \$12.000.

A marger was committed at Engagelle a few days are

A murder was committed at Seamvile a few days ago. The watchman of the seamve Kuntacky No. 2 John Sunbariand, well have under the mens of Sugarstick." Milled Helly, the mate of the best.

An election has been held in some portion of Man-modularity at least one; in each work since the 2s of Now-mber and the new year was commenced to Spring-Soid by an election for aldermost. Tarse white work The freshet in the river at Louisville has caused al-

men seried James Welch, as Irichman, was run over by the become ive and baggage out on the Scabbard road to P resmouth, on the Sist ult, and was lastuary

In an affrey, in front of a house of the fame in Cinein natt, in the first and r. young man named thee. Take was shot by an individual whose same we have not not at hand. The ball entered Tator's skull, soathering he hand arrowd was thing him almost instantly. The affrey occurred on Grant street, and no arrests have year stode. the tree presented to be owner, owner was nothing one I see had

NEW YORK HERALD.

AMER GORDON SENDETT. PROPRIETOR AND EDITOR OFFICE N. W. CORNER OF FULTON AND MASSAU STS.

TREMS pass in acquaints
THE DAR Y HERALD two cents per copy—27 per annum.
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per copy or 50 per annum. the European Edition 24 per ansum to any part of Great Britain and 25 to any part of the
ventiment both to include the postage
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TALLETTERS by the
ALL LETTERS by the contraction or with Advancements, to be post paid, or the pastage will be deducted from
the money remitted.

AMUSEMENTS THIS EVENING.

BOWERY THEATRE, Bowery .-- POTSAN--- FLYING BROADWAY TURATRE. Broadway. -Love, Law Aug-MIBLO'S, Browdway.-LES FOLIES-THE MILLERS-MA

NATIONAL THEATRE, Chatham street, True Sicil WALLACK'S THEATRY, Breadway.—Road to Ruin.—PRACTICAL MAN.

WHITE'S THRATRE OF VARIETIES, 17 and 19 Bowe AMERICAN MUSEUM - Afternoon and Evening-Ga-NEBAL Tom SHUMB-FORTY PRIEVED.

955 Broadway .- MECHANICAL EXHIBITION.

CIRCUS. 37 BOWERY.-EQUESTRIAN ENTERTAINMENTS DOUBLE SHEET

New York, Wednesday, January 5, 1853;

Mails for California.

THE NEW YORK WEEKLY HERALD The steamship Georgia. Captain Porter, and the United States. Captain Berry, will leave this port at two o'clock this afternoon for Aspinwall, and the Star of the West. Captain Tinklepaugh at three o'clock, for San Juan del Norte.

The mails for California and other parts of the Pacific will close at one o'clock.

The New York WEEKLY HERALD, with the latest in telligence from all parts of the world, will be published at ten o'clock this morning. Single ocpies sixpence. Agents will please send in

their orders as early as possible.

Our intelligence from Washington this morning is of an highly important character. Both branches of Corgress are now fairly at work upon the sub ject of our relations with foreign countries, and before the close of the session the external policy of the United States will, in all probability, be promuigated by the representatives of the people in terms that cannot be misunderstood or admit of equivocation. Nothing will de, short of the reassertion and ento:cement of the Monroe doctrine; and with the view of carrying out this object, Gen Cass yesterday introduced into the Senate a joint resolution, which was ordered to be printed, declaring that no part of the American continext is to be henceforth considered as open to colonization by any European power, and that if any attempt of the kind shall be made, this goverrment will feel itself free to adopt measure necessary for the maintenance of its national honor The resolution disclaims any design on Cuba inconsistent with the present rights of Spain; but should any other power undertake to obtain possession of the island, either by force or tresty, the movement will be looked upon as an unfriendly act towards the United States, and one that will be resisted by force. The necessity of the adoption of some measure of this kind was most like'y rendered apparent by the reply of the Executive to the reselution of Gen. Cass, asking for information concerning the acquisition of territory by Great Britain in Central America, a synopsis of which will be found in the despatch from our special correspondent. There appears to have been no Clayton, in the formation of their treaty, as to whether it was or was not to apply to the British movement at Rustan. That was left for future adjust ment. The reply to the resolutions asking for information with regard to the proposition for a tripartite treaty between England, France, and the United States, respecting Cuba, will be furnished to day, when we may expect one of the most important debates to take place that ever transpired in the halis of the American Congress. It is unders cod that Judge Mason has been shown the reply, and has accordingly prepared himself for its re-

Among the measures passed by the Senate was one appropriating \$19,500 to defray the military expenses incurred by Col. Frement in California, some years ago It will be repollected that the Colonel, while on a recent visit to London, was sued on several bills of exchange, drawn for the above named expenses, and it is for the particular purpose of liquidating these claims that the present appro printice is made. The bill granting pensions to the widows of soldiers in the Revelation and the war of 1812 was also passed. A lively discussion took place between Messrs. Mason and Hale, upon the resolution of the latter asking for information concerping the conduct of Commodore Morgan, while in the Mediterranean. The remarks of both gentle-

men were quite pointed. Shortly after assembling, yesterday, the House of Representatives went into Committee of the Whole on the Military Academy bill, whereupon Colonel Polk took the floor, and proceeded to reply to the remarks of Mr. Venable on the day previous The Colonel expressed his disapprobation of the conduct of the administration with regard to the difficulties with Cuba, after which he made known his opposition to the resolution proposing to create the rank of Lieutenant-General for the purpose of honoring General Scott. This brought up General Lane, the demogratic delegate from Oregon, who warmly culcgised the brave old General under whom he had served in Mexico. Messrs Gorman Chandier, and others, took part in the debate, in which a variety of subjects were discussed with much spirit, after which the body rose, passed the Military Academy bill, and then adjourned Read

the report. The New York Legislature convened at Albany yesterday, and, as was arranged in the democracio ecueta the previous avening. Mr. W H Lualow, soft shell, of Suffork county, was chosen Speaker of the Arrembly, and Mr. Nafew, of Athany, Clerk. In the Senate, Lieut. Governor Church took the chair, and called the body to order. But little business was transacted in either House, beyond the reading of the Gevernor's message, which document, together with the highly interesting report of the Comptrolfor exhibiting the financial condition of the State we publish at length in the preceding pages.

The U. S. steamer Futton has gone up to Washington for the purpose of conveying Hon W. R. King direct to Havsha If able the venerable staterman will probably take his departure to-day. One of our Washington correspondents writes that Billy Bowlegs and his followers have determined not to fulfil their traty stipulations to leave Florida. Having gathered all the arms they could procure, they have disappeared in the swamps. Another bloody war will probably be the consequenes

Hon, John Davis, whose term as United States Senator for Massachusetts will expire on the 4th of highest style of man."

March, has written a letter declining to be a candidate for re-election. The Massachusette Logislature will meet in Boston to-day, and as the whige have the asjority, it is not improbable that before the elect of the session they will select Hon. Ed and Everett, present Secretary of State, as the s' consent

of Mr. D We understand that a telegraphic dr patch from Hatifax anneurces that the steams' ap Ania, bound to his port, with two days later, nevices from Europe, put into that place last, Sunday, and salled again on the same day. If this is true, she ought to have arrived here befree this.

By a despatch from Jeston we learn that fifteen

lives were lost by the sinking of the brig Amulet, on the 74th ult.

Counsel in the extradition case of Kaine we heard in the, United States Supreme Court yesterday fee the telegraphic report.

The first snow which has been seen in the streets of this city during the winter fell yesterday, at ten minuterto twelve o'c'esk On reference to the tele graphic reports from other cities, it will be seen that the weather was yesterday very cold through out the entire State Our Albany correspondent considers the steamboat navigation of the Hadson closed for the sesson

Last evening, the Rev. Thomas Starr King, of Beston, delivered a most able lecture, at the Broad way Tabernacle- subject, "Substance and Show, or Facts and Perces." In consequence of the crowded state of our columns, from the publication of the message of Governor Seymour, and other State readers with a report of this lecture until to-morrow. Yesterday morning, Miss Bacon delivered the

minth lesson of her course, at the Stuy vesent Institute, the subject being "The Fourth Group in the Primitive States-the Hebrews." We shall endeavor to give a full report of the lesson to morrow.

The St Nicholas Hotel, Broadway, will be open ed to-merrow. Tae building was inspected last evening by some thousands of our most distinguirhed citizens.

The stated monthly meeting, last evening, of the

New York Historical Society was of a highly interesting character. Our report of the proceedings, we regret, is crowded out. The annual reports of the efficers and committees were made, showing the prosperous condition of the society. Mr. Edwin Williams, chairman of the select committee on an index and chronology of American newspapers, made a report, proposing an Index Association, of 200 subscribers, at \$50 each, to carry out the former preposition of Mr. Williams. This preposition was adopted by the acceptance of the report, and the same committee was continued, with powers. Professor Koeppen, a learned Danish scholar, late of the Othonian College, at Athens, read a highly interesting paper on the late discoveries and restorations of the Acrepolis at Athens. The reading of the paper was interspersed with incidental remarks, in a high style of eloquence, by the distinguished professor, who is a rare specimen of Sandinavian genius. The lecture was illustrated by many fine drawings of the architectural beauties of Athens.

The extremely crowded state of our solumns renders it impossible to make room for many local reports, and much other interesting reading, which we have in type, among which is the lecture of Rev. Mr. Giles at the Brooklyn Institute, theatrical notices, court proceedings, &c.

Meeting of the Legislature-Important Put. lic Documents.

We have received three very important State documents from Albany, which were submitted yesterday to the Legislature. The first is the Governor's message; the second is the annual report of the Comptroller, which is a very able and elaborate paper, and is of the bighest moment in relation to the finances of the State. The third is the report of the Superintendent of Schools. These documenst we publish to-day at length.

It appears from the school report, that the number of children attending school during the year is 832,481, thus leaving in the school districts 268,132, between the ages of four and twenty-one years, who did not attend. The number of unincorporated, select and private schools, was 1,472, and the average number of pupils attending them 31,767. The Superintendent reports that, owing to the dissensions, and agitations, and mutations that have been made in the education laws, "the schools have deteriorated during the rapid changes of the last four years;" and Mr. Randall seems to be of opinion that what is most needed at present is repose, until a further developed expaience, and a more settled public sentiment, shall call for such permanent alterations as shall fix the school system upon a basis not to be disturbed in the future. The present law-the law of 1851-is a compromise between the free school act of 1849 which for the first time recognised the expediency of throwing the burthen of maintaining education exclusive. ly on property, without any reference to the direct participation of the taxpayer in the benefits-it is compromise between this and the mixed basis which previously prevailed, and according to which property bore but a small portion of the burthen, and the persons directly benefitted the remainder While the present tax of \$900,000 is a greater concession from property than any obtained previously to 1849, it does not render the schools entirely free, except to the indigent, and rate-bulls, to collect some portion of the teachers' salaries, have yet to

be collected in most of the districts. The observations of the Superintendent upon academies and colleges are well deserving of attention. He condemns the present system, by which the berefits of these institutions are confined to the monied aristocracy, who do not need the boon, while the poor are excluded His proposition is that all of them be placed on the same footing as the Free Academy of New York city, within whose halls the mark of caste and the distinctions of wealth are ignored; and the sons of the rich and the poor-neither of them degraded beneficiaries, but the pored cadete of a parental government-meet on ground where neither has the vantage. To carry out this noble idea—this republican principle—it will be necessary to appropriate a far larger sum of money than the miserable pittance of \$10,000, at present doled out. There are many who contend that even this ought to be given to the common schools. As the Superintendent well remarks, the whole amount, if divided between them, would not be more than between \$3 and \$1 to each school. As a higher order of education than that of our common schools is absolutely necessary, for the developement of genius and talent, it is of the last impertance to place it within the grasp of all who can reach it by merit. As life and property are protected by education, and crime is prevented by the diffusion of intelligence, and as the wealth and resources of a country are developed by learning and knowledge- as the country itself is defended by the same agencies, from external aggression or from internal tresecn and corruption-it is the interest as well as the duty of property to contribute, is a large and liberal spirit, to this object. Property has its duties

as well as its rights. Its mixed education is the glory of the United States. By the constitution, no form of religion is entitled to any preference over another, and an (feetual barrier is forever opposed to the establishment of Catholicism or Protestantism, or any sect thereof. Religion is left by that great instrument where it ought to be luft, between man and his God, and the politics of the country are regulated by principles held in common by all denominations of Christians Fanaticism occasionally makes an outbreak; but still that liberal education, by which boys of every croed sit together on the form at school, prevails, and will, we trust, prevail to the end of the chapter. God forbid that bigotry should ever succeed in changing what has hitherto worked so well for the country, and has contributed more than any other thing to the superior intelligence, the independent thought and action, and the liberality to those who differ with us in religious opinion all of which constitute the Austicea

All out at the Sready,ay-"The Daughter

Alboni hes now appeared in Italian opera, for the fifth time, at the Broadway Theatre, and so far from the enthusiasm diminishing it was raised last night to a far ligher pitch than Lefore. There was much anxiety on the part of the orition the dillettanti, and the music loving public at izrge, to see in what way Alboni, who was so successful in "Cinderella" would acquit herself in a iment," particularly as this is regarded as the chef d'auer of Swring, who is announced to appear in it on Monday next at another theatre. It was supposed by many that however successful Alboni had been in "Cenerentois," an pers. The would not be equally encourse in an ingui-oparhling rougs of Denizetti. composed for a soprane; but those who had heard and seem her in 'La figlis del Reggi-mento' in Europe, and all who had read of her achieve-ments, felt confident that she was equal to the task; and she has justified that expectation, proving that she is powersed of a rare versatility of genius and that her voice extends to a very wide compass indeed. Never wes any triumph more complete She looked and acted with the innecence wi hout the boldness, that has char acterized the perfermance of the part by meaner ortiste

audience, who showed their appreciation of the points made by the great artiste by always applauding in the right places And such applause we have rarely wit-nessed at any opera—so warm, so hearty, so oft-repeated, and so prelorged Those who are acquainted with this opera know that it is radiant with gems of the most brillian: ray, some of them marked by a joyous gayety, while others are fraught with the most touching tenderness. In simost everything that she sang, she was rapturously applauded or encored. Whether in the merry "Tante batta glie." er the pathetic farewell 'Partie convieve." she was equally happy, and brought down the loud encores of the audience. But it was in the "Rataplan," in which she beat the drum on the stage, and marched so admirably, and in the "Singing Lesson," that she was most successful. The audience seemed carried away with a complete furore. In the finale she was exquisitely beautiful, and retired amidst a shower of bouquets and the most vehement applause. She was immediately after called before the stage, and re-

ectred the homage of a delighted audience. In this (pera Alboni has made "a palpable hit." In Europe the was crowned with success as Maria, even after Jenny Lind had made so much of the $r\partial k$; in America. she has now made good her European fame. Mr. Mar-shall has made an experiment for which he deserves great credit, and in whose success every lover of music must take a deep interest. It is the first time in this country that an attempt has been made to give Italian principal vôles, at the ordinary prices of theatrical repretentations The prices have been brought down to the republican and democratic level, and no longer can the aristocracy monopolize the divine art of music. They people say to them, "Stand aside and make room for those

Never was such delicious music given to the public at such prices, and it is gratifying to see that the public so

THE CALORIC SHIP ERICSSON.—This vessel went down the Fast river on a contemplated trial trip yesterday merning, at about ten o'clock, but anohored at the S. W. Spit, detained there, no doubt, by the severe gale that prevailed. She made a very handsome appearance as she proudly floated along; and with wind and tide in her favor, travelled at the rate of about twelve miles an hour.

City Intelligence.
THE SAINT NICEOLAS HOTEL-PREPARATION FOR

OPENING.
Upon next Thursday morning the infant new year will behold the consummation of the arduous labors of Mesers. Treadwell, Acher & Co., in the perfect arrangement, deco-ration, finish, and opening of the Saint Nichelus Hotel, situate in Broadway in this city We published, a short time since, a minute account of the extent of this vast establishment, its style of architecture, and chasteness of embellishment. The tout ensemble is now complete and the house presents an appearance of solid magnificence contentionment. The low-casende is now complete and the house presents an appearance of solid magnificence and comfort, which are true evidences of the distinctly toreshadowed career of progress and wealth which await us as a people. The hotel was open hast evening for the respection of an extensive and must select circle of la dice and gentlemen, with the members of the press, and learned professions, who attended by special invitation of Messrs Treadwell. Acker & Co. They were received in the grand hall, agd conducted over the house with great urbanity and attention. Dod worth's Band was stationed in the Irading corridor of the second flor, and played a variety of airs during the evening. The hotel was visited by several thousand percons, and the mediow light from the grace considers, the massive mirrors, the luminous lengues, the oriental patterns of the green, scarlet, and golden tasselled tapestry, with the harmonious blending of color in the freeco painting, marble mantels, and decoration, were the subject of universal admiration. The crowd was so immense that we could not accurately note down a minute description of the style of the furniture, piste upholatery, and arrangement of tables in the grand dining and tea room. We will encavor to submit this to our readers on Thursday morning, the same day upon which the Seint Nicholas Hetel will open in a style which would tempt its revered patron to break his most solimn fast. Capteda Turnbull, Eighth ward, with a detailed force of his officers, attended last evening and preserved order during the arrived and departure of ear-

served order during the arrival and departure of ear-ringes, &c.

The Fatal Sixth Avenue Railmond Accident —Coro-The Fatal Sixth Avenue Railroad Accident —Coro-ner Hitto held an inquest y-sterday morning, at the City Hospital upon the body of Anne McGerin, aged fourteen years, who came to her death by socidentally coming in contact with one of the Sixth avenue railroad care, on McLday morning The evitence addited before the Coro-ier showed that the car was going at a slow pace, and that the poor child ran heedlessly across the street, and being confused by a hore and cart that was atthat time near her, the accidentally came against the horse of the

car, which knocked her down, and before the ear could be stopped, the fatal injury was done.

Jane alcderin, mother of the deceased, sworn—Upon the eay of the accident. I sent decessed on an errand to the butcher's; she had a heavy basket upon her left arm; I did not see her afterwards until I saw her in the Hospital; she then said, "Mother don't blame me, the car ran over me;" she was insensible after that.

Dr. Cooper, testified, as to the nature of the injuries of which deceased died.

The jury returned the following verdict:—We find that the deceased Anne Mejerin came to her death by injuries necessed from help grun over by one of the Sixth avecue railroad cars, and, from the evidence, no blame can be attached to the person having the management of the same.

be attached to the person having the management of the same.

Sudden Draths from Falling in the Street.—A colored girl, named Emms Otts who resided at the house No 16 Sullivan street, fell in the street Monday evening. She was taken up by the people around, and conveyed to the house where the died in about ten minutes afterwards. Coroner Gamble yesterday atternoon held an inquest upon the body. Verdict—Death from disease of the heart. Decemend was eighteen years of age, and a native of South Carolina.

On Monday evening, as a solored man, named Abner Clarkson, was passing through Wooster street, upon his way to his residence at No 57 Watts street, upon his way to his residence at No 57 Watts street, upon his way to his residence at No 57 Watts street, upon his mediately taken up and conveyed home; but, meiannebuly to say be expired in a few minutes after his arrival Coroner Gamble held an Inquest upon the body pesterday afternoon. Dr. Thos, & Fenned made a post mestern examination of the body, found the lungs very much estimated the first person of the lungs very much engetted and also disease of the heart; is of opinion the man died from congestion of the lungs Verdict accordingly. December 1 and 1 Lungs were and aged seventy two years.

Attractors

o'clock on Monday afternoon, a man, named Martin Langdon, residing at the house No DI Eleventh street made an attempt to out his throat with a razor during the temporary absence of his wife. He indicated some dreadful gashes, and was in a feint condition when the returned. She immediatedly raised an abrea and efficers Warker and Figuret repaired to the spot and removed the unfortunate man to the station house of the Seventeenth ward. His wounds were there dressed by a surgern, and he was afterwards placed in the dity Hospital. From the statement of his wife it would appear that he was perilady deranged for some time before he

IN THE MATTER OF THOMAS EARSE, A FUGITIVE FROM JUSTICE.

NEW YORK, Doe 31, 1852.

DEAR SIR—This case is set down for the first Morday in January the Court having made out certain points to be signed. I have been counsed for the British government in the matter, and appeared as such when the Court distributed the points. I am not aware what may have occurred between the hunorable the Secretary of State and mis Executioney the British Mission; nor, as to whether the Autories General will yet intervene.

I deem M. however respectful towards the Sench, to have it suggested that for Cramp'on, the Minister, has wished me to atond aside and not mingle in any argument.

wanted me to atoms mean.

I had not received his desire when I had the honor to be before the Court.

If circumstances should make it proper I hope you will do me the hinduses most respectfully to mention what I have said.

Believing me to be yours, always, very respectfully.

CHARLES ED WARDS.

To Charles Somner, Esq., &c.

Count Calendar—This Day.

Conston Pleas. Part First—Nos. 43 47, 59, 61, 63 65, 67 60, 71, 73, 76 77, 79, 81, 83 Fart decond—Nos. 26, 48, 66 52, 44 56 56 66, 42 60, 96 57 0, 72, 74.

BUTRANE COURT.—Circuit—Nos. 3, 4 12, 16, 18, 19 to 25, 20, 19, 40 Special Term.—Nos. 8, 20, 21, 30 to 69, A doni is number ordered for this day.

United States District Court.—No calendar till next

Fruncia Court.— (Two Branches).—Nos. 54, 12, 22, 23.

Structure Court.— (Two Branches).—Nos. 54, 12, 22, 23.

Structure Court.— How ALD Everet Court.

To Epper Den Jone Den Mancourt, 32, 33, 34, 34.

THE HORRIBLE MUUDER IN NEW JERSEY. Arrest and Confession of the Mure

Coroner's I quest and Verdie

The details of this cold bleeded and atrectous m

which has created suck an excitement throughout the country, may be bud from the following particulars, which were gathered for us by one of our reporters. It appears that the murderer, William Caring, come to this country but not succeeding in finding them he returned to his na-tive country. (Ireland) when he learned the whereabouts in this country of them. He at once proceeded to Kinin the country of them. He at once proceeded to Kinderkamask, Washington town-hip. Bergen country, where they resided, at which place he continued to live with them for three years, during which time he had saved up a sum of morey amounting to \$105, which he placed in O'Brien's hands for safe keeping and requested him to deposit it in the Savings Bark in his, (O'Brien's,) name. His wish regarding the money was accorded to by O'Brien, who accordingly deposited it in the Seumen's Saving Bank, in this city. Some time after this, O'Brien's daughter, who was about eleven years of age, complained of Cating's conduct towards her, and the was removed from his bed, where she and her little brotner slept. Ca ing be came annoyed at this, and asked the father of the girl if he would allow her to get married to him, which he very his being refused he got very angry, and demanded the money which he had placed in O'Brien's hands. O'Brien then told him that he did not went his money, and if he would go with him to New York he would draw it and deliver it into his hands. Cating however, would not go to New York but wanted O'Brien to go alone. This, O'Brien would not oo and accroingly made a proposal to him that they both would proceed to New York ore Friday. January 5th whiten proposal he accepted, and then expressed himself periently satisfied with the arrangement. On thorsday last Mrs. O'Brien same to this city on a visit to one or hef friends massed Daniel Haley, residing in West Teventy inith street, and on her return, they were to proceed to this city and get the money. On Friday morning, O'Brien went to work as usual, to the bouse of a man named John Smith, there he has been working for the hast four years leaving his two children—Mary, eleven years old, and Daniel, nime years—in charge of Cating. Immediately after he had left, Cating brually mundered the little girl by striking her in the send with an are, literally cutting her head off. He then returned and killed the hoy, who was at work cutting brushwood about one hundred and fifty yards from the house. After mangitug his bedy in a frightful manner with the are, he threw him into the thich brush, and left the axe within a few feet of the nurdered child. On O'Brien's return from work, about reven o'cleck he found the doors looked. He knocked at the windows at dealed his children by name, but roceived no answer. He then searched for the boy but witched and neck window which he forced open, entered the beuge, and lighted a candle and rearched of the him her head and neck window which he forced open, entered the heuse, and lighted a candle and rearched for his children. In one of the bedrooms he found his daughter Mary laying on the floor, weltering in blood, with her head and neck window which he forced open, entered the heuse, and lighted a candle and rearched for his children. In o his being refused he got very angry, and demanded the money which he had placed in O'Brien's hands. O'Brien

An inquest was held on the bodies on Saturday evening, by Coroner Demercet, and several witnesses were
examined.

Timothy O'Brien, being duly sworn deposed—That
he was a native of Ireland and came to this
country about five years rince; he resides in
the township of Washington. He gen country; his
wife was then on a visit to New York; a person
named Billy Cating has had his home with him off and
on for the space of three years; decount generally
worked for John Smith in the sams township; on Priday
morning, Dec. Bit. 1852 the seit Billy Oating was at
his house when witness left for his work where he usually
wen early in the morning leaving his children, Mary
and Daniel, with him as usual; when he returned from
his day's work, about 7½ in the evening he went to his
house and found the door leaved; he called at the window, but received no answer; he then went to the house
of Mr. Demercst and inquired likewise; he then returned
to his house and called again sack knocked at the door,
but received no answer; he forced open one of the windows, through which he entered and went into
the large room of the house, but did not find
his children there; he then went into the bedroom, where
he found his daughter Mary lying on her back, on the
floor, perfectly dead, with her throat mangled and eut;
he thin alarined the neighbors who assembled, and
rearch was made for the missage boy; finally he was found
in the neighborhood, about one nundred and fitty yards
from the house, in a field, with his head and meek bruised
and mangled; he was perfectly dead when discovered; depownt has not seen the said Billy Cating since he lefthim at home, or Friday morning and farther says that
the said Billy thought a great deal of his children.
Meets Flin, Smith and Demerset were thon examined but their testimony to only a corroboration of the
above witness, therefore it is useless to publish it

imed, but their testimony is only a corroboration of the above witness, therefore it is useless to publish it. The jury then retired and after a few moments deliberation, brought in the following verdict:

That the children Mery and Daniel O'Brien, met their death by blows of an instrument in the hands of William Cating.

The children were buried on Sunday, attended by side. Meanwhile, the mother of the children was informed of the rad affair, which had such an affect upon her mind that she has become almost crazy. Search was made for the murderer, but without success. Messengers were despatched to this city, to inform the police authorities of the event and a description of Cating was given to the Chief of Police. Telegraphic despatches were sent to Philadelphia and Baltimore, with orders to arrest him if he should be found there. On Monday morning, to the surprise of the whole community, Cating delivered himself up to Mr. Hopper, a citizen of Kinder-kamack who immediately conveyed him to the Hackensack prison. Here our reporter visited him, along with the sheriff, and everal friends of the deceased, to whom he made the following statement:

delivered himself up to Mr. Hopper, a citizen of Kinder-kamack who immediately conveyed him to the Hackensack prison. Here our reporter visited him, along with the theriff, and several friends of the doceased, to whom he made the following statement:—

I was bern mear Gloumelt, county Tipperary, Ireland, and am now about fifty five years of age. I murdered the children Mary and Daniel O Brien with a knife or axe. It was Timothy O'Bries's fault. If the gave me my money I would not have killed them. I had a bad mind at the time, but am now acry for what I done. I did not like to live with Timothy O'Bries' I was not in my right mind at the time I murdered the children. I never a ked O Brien for his daughter in marriage. The little hoy fellowed me, and I killed him I killed them have killed him. I killed the have killed him. I killed them the by followed me, and I killed him I killed them both with a small kulfe (jack knife) after which I field to the woods, where I remained all day, and in the avening, when they were scarobing for the b y, I was within a few yards of whre they stood. I saw them when they found the boy, and then returned to the woods. I went to the graves I cried a great deal over them, and was crying a long time. I visited the pince during the night and returned to the woods during the day. I wandered through the woods, and did not eat anything. I did not attempt to kill myself with the knife. I am very serry for what I done but If it was not for Tim (meaning O'Brien), he would not have been without the children: he would not give me my money when I wanted it. When asked if he had determined to kill them for some time past, he said be did not have. When I delivered myself up I had £8 ster ign my pocket, and a knife, which Mir. Johnson took and has now with him.

The prisoner is a man of ver; small stature, measuring obcur four feet six inches in height. He had a deep incision in his threat, which appeared as if out with a knife in attempting to commit suicide. His appearance was perfectly disgusti recent ward. His would were there drawed by a green, and he was afterwards placed in the thry Hospi. From the statement of his wife, it would appear the was perially deranged for some time before he campted this set.

The Hairs Case.

THE HATTER OF THOMAS KAINE, A FUGITIVE.

The Recal of Senor Marcoleta Department of State, Wannington Dec 30, 1852 Sen.—You are probeble aware that some months at Mr. Kerr. United states Charge d'Affaires to the government of Shears in. was imbracted to request that ye might be recalled, and that some other person might appointed as the representative of Nicaragua near the government.

government
A despatch was yesterday received from Mr. Kerr, frammatting a copy of a leater to him from Mr. Castalion, Minister of Foreign Affairs, in which he declines, on the part of the Nicaraguan government, to comply with the President's request, and expresses a wish that the rescussion which it was founded should be set forth, incoder to their being submitted to the Ricaraguan Chamber.

crear to their being submitted to the Klearaguan it cannot be necessary to say that this course would be followed by discussions of the most disagreeable and unprofitable character; besides that the President cannot consent that any condition whatever should be attached to the complicace of the Nicaraguan government with a request wartanted by the most familiar principles of the public law and the practice of civilized States, the has therefore discoved Bir. Kert to renew the request for your receil, and the appointment of another dimiter. And in the meantime, I say introduced to inform you shat the Nicaraguan curvey.

With much personal regret that it has become my drift onderest to an a private or this character.